

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VIAMEDIA, INC.,) Docket No. 16 C 5486
Plaintiff,)
vs.)
COMCAST CORPORATION AND)
COMCAST SPOTLIGHT, INC.,) Chicago, Illinois
Defendants.) March 27, 2017
8:35 o'clock a.m.

TRANSCRIPT OF PROCEEDINGS - MOTION
BEFORE THE HONORABLE AMY J. ST. EVE

APPEARANCES:

For the Plaintiff: MAYER BROWN, LLP
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RICHARD J. PRENDERGAST, LTD.
BY: MR. COLLIN M. BRUCK
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Chicago, Illinois 60602
For the Defendants: DAVIS, POLK & WARDWELL
BY: MR. ARTHUR BURKE
MS. STEFANIE L. WILLIAMS
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New York, New York 10017
JENNER & BLOCK, LLP
BY: MR. ROSS B. BRICKER
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1 APPEARANCES (Cont'd):

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3 Court Reporter:

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MR. JOSEPH RICKHOFF

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PROCEEDINGS RECORDED BY

MECHANICAL STENOGRAPHY

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1 THE CLERK: 16 C 5486, Viamedia Vs. Comcast.

2 MS. MILLER: Good morning, your Honor, Britt Miller
3 on behalf of Viamedia, Inc.

4 MR. BRUCK: Collin Bruck on behalf of plaintiff.

5 MR. BRICKER: Good morning, your Honor, Ross Bricker
6 and Tom Quinn from Jenner & Block on behalf of Comcast.

7 MR. BURKE: Good morning, your Honor, Art Burke and
8 Stefanie Williams from Davis, Polk on behalf of Comcast.

9 THE COURT: Good morning.

10 I have a motion for leave to allow substitute counsel
11 to come in.

12 Is there any objection from Viamedia?

13 MR. BURKE: There's none.

14 THE COURT: I am sorry?

15 MR. BURKE: There's none. There is no objection from
16 Comcast.

17 THE COURT: Okay.

18 This is a different firm than I know we had talked
19 about last time.

20 So, I will grant the request for substitution of
21 counsel.

22 Is anybody here from --

23 MR. BRUCK: Yes.

24 THE COURT: You are here from --

25 MR. BRUCK: From Richard J. Prendergast, Ltd.

1 THE COURT: From local counsel. Nobody is here from
2 the other law firm?

3 MR. BRUCK: Correct. Kellogg and Hansen are in D.C.

4 THE COURT: There are dates in place, Mr. Bruck. So,
5 I have not moved those. When new counsel comes in, that does
6 not mean they automatically get moved. So, hopefully you can
7 get up to speed on this.

8 MR. BRUCK: We understand. And I don't think we
9 anticipate any of those dates needing to be changed.

10 THE COURT: Especially because they were kind of
11 pushed at plaintiff's insistence to get things moving.

12 Okay. So, that is granted.

13 You have another status on April 5th. Since you are
14 here, I am going to strike that unless you think you need to
15 come back that soon.

16 MR. BURKE: I don't, your Honor, although I will say
17 that on behalf of Comcast, we don't think the current schedule
18 is going to be workable. We'll certainly meet and confer with
19 new counsel. But there have been no depositions in the case
20 yet, and there's a number of discovery issues that are
21 outstanding. I won't belabor them for you. But we'll have to
22 come back to you on that, I think.

23 THE COURT: Okay.

24 I will strike April 5th. Come back toward the end of
25 April and we will take up anything that we need to at that

1 point. That will give you the opportunity to meet and confer
2 with new counsel.

3 MR. BURKE: Great.

4 MS. MILLER: One administrative thing on the motion
5 to substitute, your Honor. We had previously, quite some time
6 ago, filed a substitution for an attorney who left our firm.
7 For some reason, he stayed on the docket as counsel and on
8 ECF. His name is Sean McDonnell.

9 THE COURT: Okay.

10 MS. MILLER: It's in a footnote in the current
11 motion, but I want to make sure his name is also removed.

12 THE COURT: We will make sure with docketing. I am
13 not sure what happened.

14 (Brief pause.)

15 THE COURT: It was only filed as a notice, I am told,
16 and not a motion. Docketing will not take it off.

17 MS. MILLER: The clerk informed us because it was
18 from the same firm substitution, we could file it as a notice.
19 Our apologies.

20 THE COURT: No, that is okay. They have their own
21 set of rules. So, we will make sure that gets taken off.

22 MS. MILLER: I appreciate it, your Honor.

23 THE COURT: So, end of April.

24 THE CLERK: April 25th at 8:30.

25 THE COURT: Does that work okay?

1 MR. BURKE: That's fine for us, your Honor.

2 THE COURT: Thank you.

3 MS. MILLER: Thank you, your Honor.

4 MR. BURKE: Thank you.

5 * * * * *

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7 I certify that the foregoing is a correct transcript from the
8 record of proceedings in the above-entitled matter.

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10 /s/ Joseph Rickhoff
Official Court Reporter

April 4, 2017

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